Frequently Asked Questions
Local Education Agency - Scope of Work

Q (1): Is the local funding body signature required on the Scope of Work if the regular school budget is going to pay for the recurring cost?

A: No, the local funding body signature is only required if additional revenue is requested from the funding body.

Q (2): Do unions have to sign on to the Scope of Work plan?

A: There is no stated requirement that new signatures from union officials are required. Of course, those signatures would not be detrimental to your Scope of Work application.

Q (3): What needs to be negotiated with the local bargaining agency?

A: Anything that would be in conflict with a school system's current collective bargaining agreement **or** is considered a mandatory item of negotiation pursuant to the Education Professionals Negotiations Act (EPNA). The section of the EPNA listing the mandatory items is below. If you have questions, please consult your board attorney.

49-5-611. Scope of negotiations. –

(a) The board of education and the recognized employees' organization shall negotiate in good faith the following conditions of employment:
    (1) salaries or wages;
    (2) Grievance procedures;
    (3) Insurance;
    (4) Fringe benefits, but not to include pensions or retirement programs of the Tennessee consolidated retirement systems;
    (5) Working conditions;
    (6) Leave;
    (7) Student discipline procedures; and
    (8) Payroll deduction.
(b) Nothing shall prohibit the parties from agreeing to discuss other terms and conditions of employment in service, but it is not bad faith, as set forth in this part, to refuse to negotiate on any other terms and conditions. Either party may file a complaint in a court of record of any demands to meet on

other terms and conditions and have an order of the court requiring the other party to continue to meet in good faith on the required items of this section only. Any negotiations under this part shall be meetings within title 8, chapter 44.

[Acts 1978, ch. 570, § 11; T.C.A., § 49-5510.]

Q (4): Can any unused balance the first year be carried over to the next year? And can money be rolled over to a fifth year?

A: Yes. Funds not used can be rolled over to the next grant year. However, money should be expended by the end of year four with no fifth year roll over.

Q (5): Can technology hardware be bought with Race to the Top funds -- for example, increasing server capacity, computers, iPods and other infrastructure?

A: Only if hardware is needed to expand or create an educational opportunity linked to a Race to the Top initiative, such as a laptop cart to deliver benchmark or interim online assessments, increasing capacity to deliver online credit recovery courses in identified turnaround schools, or PDAs for principals or teacher leaders to facilitate teacher evaluations. Please provide a justification for these type expenditures in your submission including the assurance to which the expenditure relates.

Q (6): Will the Scope of Work template Excel cells expand?

A: No, please add additional pages as necessary for activities and justifications.

Q (7): Can transportation be funded through Race to the Top grant dollars?

A: Transportation will be approvable in specific instances where it is tied to both a Race to the Top imitative and the School Improvement Plan. Specific costs and routes should be described. This grant can not fund your current transportation costs.

Q (8): When will the districts know the scope of service that will be provided by Battelle?

A: Battelle and Battelle for Kids provide different services. We will be posting a list of deliverables and timelines as they become available.

Q (9): Is the State Department of Education developing a formative assessment tool that will be linked to the state standards that all school districts can use?

A: Tennessee will explore several assessment models (see below) in order to create a high-quality, innovative system of common summative and formative assessments, that best fits the needs of our state. Timeline for completion is at least 2013-14.

Q (10): Is the State Department of Education developing a test bank which will include items that will be linked to the state standards?

A: Tennessee has many retired questions because fresh and non-redundant questions are required for our tests. Tennessee hopes to partner with other states to create such a bank, however a timeline has not been established. It is recommended that if systems are interested in formative assessment options, they pursue a one year contract in year one that is renewable on a yearly basis so that they can adapt the work when the test bank is available.

Q (11): Can school systems use Race to the Top funds to establish an individual data warehouse?

A: The State Department of Education will continue to expand its data warehouse to meet school system needs. If the state is not able to meet system needs, we will consider allowing Race to the Top expenditures in years two, three or four. No data warehouse appropriations for year one will be approved. Be mindful, the state's data warehouse links to all other systems and makes student/teacher information readily available statewide, while a system warehouse would not be connected to all other data.

Q (12): Do school systems have to use the state data warehouse?

A: Systems will not be required to use the state data warehouse as their primary mode of data sharing with schools. However, systems will be required to upload a variety of data elements to the data warehouse, and the data warehouse will include elements from a variety of state child serving agencies. While Race to the Top LEA funds cannot be used for data warehouse expenditures in year one, there is no prohibition on using local LEA funds on data warehouse expenditures.

Q (13): Can districts modify/refine their original Scope of Work after they receive the district's test results in the Fall?

A: Yes, the data may lead them in another direction.

Q (14): In the planning and development of the Scope of Work, how should charter schools be involved?

A: Charter schools should be addressed separately in the Scope of Work to accommodate the unique characteristics of the charter school student. Charter school administration should be involved in the decision making process.

Q (15): Will continuing the employment of coaches (reading, math or curricular) hired with ARRA funds be allowed?

A: Generally no; this is supplanting. In some instances where the justification and plan for this personnel is exemplary, and tied to both a Race to the Top initiative and the TN Consolidated School System Plan, it might be approvable, but the sign off by the funding body would be required if employment is to continue after the grant years. Tenure issues should be considered.

Q (16): Can a data coach be hired?

A: In the first year, the state will contract to provide training for teacher leaders and principals on usage of value added data. Data coaching related to value added will not be approved in year one. However, a data coach would be acceptable if their duties were clearly defined, not specifically related to value added, tied to both a Race to the Top initiatives and integral to the system plan. Systems should consider differentiated instruction based on data and more extensive dashboard training. Contractual employees may serve this purpose as the goal is to increase system capacity without incurring ongoing expenditures.

Q (17): Would staffing for an extended day program be acceptable?

A: The extended day program must be considered innovative and beyond remedial unless it was in an identified Renewal School. STEM objectives would be considered as viable options. Again, this must be tied to the system plan and a Race to the Top initiative. Additionally, precautions for longer-term costs and contract issues related to additional employees should be considered.

Q (18): Can incentive pay for teacher attendance be offered to improve classroom teacher attendance?

A: No.

Q (19): Is a stipend for a teacher considered to be different from alternative compensation?

A: No.

Q (20): Can licensing fees be paid for programs beyond the time frame of the grant?

A: If a local school system is considering licensing fees for technology or programs, the system should pursue the option of one-time perpetual licenses.

Q (21): Can local school systems open leadership institutes?

A: Leadership institutes will maximize resources best when operated in collaboration with other school systems. Investment in leadership development is encouraged and the state would like to see this developed in a cohesive fashion to support existing personnel and to cultivate new leadership.

Q (22):   How much information do we need to include in the Scope of Work, for example when referencing STEM initiatives?

A: The more specific a school system is in relating an activity to data and Race to the Top initiatives, the more likely it is to be approved. This is true in descriptions of activities throughout the SOW.

Q (23): What is meant by supplanting?

A: Supplanting, or the replacement of state funds with federal funds, is not prohibited under the Race to the Top guidelines. The answer here is meant to indicate that in general, the state will not approve expenditures that are used to replace current expenditures or budget cut decisions. Race to the Top expenditures must be either for a new program or an expansion of an existing, proven program. Exceptions may be made if significant justification exists and the expenditure is directly related to a Race to the Top initiative and the TN Consolidated School System Plan.

Q (24): Can districts replace existing programs that are being cut in current budgets?

A: Tennessee's Race to the Top funds are not meant to supplant current programs. Initiatives proposed through Race to the Top funds must be directly related to the state application and one of the assurance area and be either new or an expansion of an existing, proven program. If expanding an existing program, systems must justify the successes of the program and reasoning behind expansion.

Q (25): Are Scopes of Work required to include all four years of budgets and planning?

A: Yes, school systems must include detailed work and budgets for the first year and estimated work and budgets for the following years. It is anticipated that if there are any major issues raised for districts in the fall following the release of test and accountability data, that school systems will have an opportunity to submit revisions to their plans at that time. It is also anticipated that school systems will be able to revise scopes of work and budgets over the course of the grant.

Q (26): Can school systems use more than 25 percent of their budget in the first year?

A: This will be addressed on a case by case basis and will require justification.

Q (27): Can school systems pay for costs for subs related to Race to the Top training out of Race to the Top funds?

A: Yes.

For additional Scope of Work questions, please contact Cindy Benefield, Executive Director of Field Service Centers, at Cindy.Benefield@tn.gov.